

CLASSIFICATION OFFICE DECISION

Title of publication: jxfchg

Other known title(s): Not stated

OFLC ref: 1900573.027

Medium: Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification: Objectionable.

Descriptive note: None

Display conditions: None

Date of entry in Register: 28 July 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 27 July 2020

Summary of reasons for decision:

The image file depicts two naked young boys involved in a sexual act. The only reasonable reading is that it has been produced to titillate and arouse those with a prurient interest in children. Material such as presents children and sexually active and aware, thereby normalising and legitimising young boys as appropriate subjects for adult sexual fantasy and desire. It therefore promotes and supports the exploitation of children for sexual purposes and is deemed to be objectionable under s 3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). The objectionable classification of this publication interferes with the right to freedom of expression under the New Zealand Bill of Rights Act 1990, but this is an outcome that is consistent with Parliament's intention that publications falling under s 3(2) of the FVPC Act are deemed to be objectionable. This reflects the concern of a free and democratic society to protect its young and vulnerable members from exploitation.